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Remembering Dr. Martin Luther King, Jr.

Legislators took Monday off to observe Martin Luther King Jr. Day in their own communities, so we thought it appropriate to use the following quote:

“Our lives begin to end the day we become silent about things that matter.” *Dr. Martin Luther King, Jr.*

We talk a lot about taking action in *infoNET*. People usually think that means talking to your elected officials. But that is only one way to stand up and take action about things that matter.

There are a number of things you can do to take action - whether talking to your legislators, organizing others in your community, talking to others, or volunteering for organizations or campaigns. What is important is that you get up and take action—and refuse to be silent on the things that matter to you.

If you are having a tough time figuring out how to take action, and where to start, ID Action (Iowans with Disabilities in Action) can help you. Join ID Action today and let us know what we can do to help you!

ID Action

PO Box 71369

Des Moines, Iowa 50325

866/432-2846 (toll free)

866/432-2847 (TTY/TDD toll free)

info@idaction.org

Governor & Leaders Outline Priorities

Governor Culver, Supreme Court Chief Justice Marsha Ternus and legislative leaders outlined during the opening week of session. Here is what they said:

Governor Chet Culver

In his annual speech to the Iowa Legislature, Governor Culver talked about promises made, and promises fulfilled. He spoke of his success last year, and talked about continued commitment to his priorities (teacher salaries, renewable energy and energy independence, wellness, and making health care more affordable.

You can read his speech or watch a video clip of it:

<http://www.governor.iowa.gov/administration/speeches/>

You can also write Governor Culver at (just remember to put your return address on it so he can respond):

Governor Culver

State Capitol

Des Moines, Iowa 50319

Chief Justice Marsha Ternus

The Chief Justice of the Iowa Supreme Court speaks to the Iowa Legislature each year to talk about the priorities of the courts. This year, Chief Justice Marsha Ternus emphasized children's mental health and addressing the needs of kids in the court system. Chief Justice Ternus urged the Legislature to provide more funds to clear the children's mental health waiver waiting list and get services to kids that need it:

“I spoke to you last year about the large number of children waiting for this treatment, and you

responded generously by providing funds to treat nearly 300 more children. You should feel so good about what you did for these children. I must tell you, however, that the number of children in need of mental health treatment continues to grow...many of these children, who are described as low-risk, high-needs children, end up in the juvenile justice system. We can change this result by treating their problems early on before they get into trouble with the law."

The Chief Justice also asked the Legislature to provide more support for children in need of substance abuse treatment. She wrapped up her speech by saying:

"Today I have talked about two important challenges: ensuring equal justice for all and addressing the special needs of children in our care. Although both primarily involve the work of the courts, their impact extends far beyond the walls of Iowa's courthouses and well into the future."

You can read or watch a video of Chief Justice Marsha Ternus' speech here:

http://www.judicial.state.ia.us/Supreme_Court/State_of_the_Judiciary/index.asp. You can also write to her at:

Chief Justice Marsha Ternus
Iowa Judicial Branch Building
1111 East Court Avenue
Des Moines, Iowa 50319

Legislative Leaders

The majority party leaders (Democrats) in the House and Senate echoed the Governor's theme of living up to the promises they made when running for office – making health care more affordable to all Iowans, investing in our infrastructure (roads and bridges), and making sure our children receive the best education possible. They emphasized the need to make progress on all of these priorities, and that they can only do that with the support of the minority party.

Minority leaders (Republicans) in the House and Senate got a chance to talk about their priorities for the year, focusing on what was not in the Governor's plan. They spoke of the need to protect marriage with a constitutional amendment. They spoke of the need to pass a fiscally responsible budget. Sen. Ron Wieck of

Sioux City, the new minority leader in the Senate, expressed his concern with the Democrats' plans to address health care, saying they are "crafting the mother of all socialized health care plans."

As you can see, this is going to be a politically charged session as legislators try to get their work done, live up to the promises they made to the people that helped elect them, and get out early so they can hit the campaign trail and get re-elected in November.

Rough Budget Year Ahead

Legislators are bracing themselves for a difficult budget this year, saying they need to show caution in the face of a national recession. Here is a quick, and we hope easy to follow, primer on this year's budget:

- ★ **Iowa can only spend 99% of its revenues** (that is, they can only spend 99% of what they expect to have in the bank at the end of their budget year).
- ★ **Iowa has a "Revenue Estimating Conference" that meets quarterly to come up with these estimates.** By law, the Governor and the Legislature has to base its budget on those estimates.
- ★ **Iowa's current year budget is \$5.859 billion.**
- ★ **There are \$569.6 million in built-in budget increases.** That is, increases legislators cannot change and have to pay – allowed growth for schools, the second year of teacher salary increases, state employee salaries (collective bargaining), Medicaid, and the new four-year-old preschool program.
- ★ **The Revenue Estimating Conference estimates the state will collect \$6.14 billion this year.** The Legislature can spend \$6.079 billion (99% of total).
- ★ **The budget numbers do not add up.** When you add the current year budget of \$5.859 billion to the required increases of \$569.6 million, you get a total of \$6.429. This is \$350.4 million MORE than the amount the state is allowed to spend.

Now you can see the "budget gap" everyone is talking about. And this is before any new programs are proposed. Legislators cannot simply pass the same budget as last year, add in the required increases, and go home. They must cut in order to make it work.

Significant Increases/Decreases

Legislators have some hard decisions ahead – what to fund, at what level, and what to simply get rid of or cut. That said, the Governor’s budget does include increases by shifting around priorities. Here are some of those increases and decreases that may impact persons with disabilities:

- ★ 4% increase (\$606,000) for the Iowa School for the Deaf and Iowa Braille & Sight Saving School for their share of the 4% allowed growth for schools.
- ★ 18% overall cut to the state’s public library system, which includes a 75% cut in the direct state funds that public libraries receive (called Enrich Iowa). Many libraries say they will have to cut back on special community initiatives like computer training and programs that go out to care facilities.
- ★ \$30,000 cut to the Special Olympics (leaving only \$20,000).

Things the Governor wants left at current levels:

- ★ Division of Deaf Services
- ★ Division of Persons with Disabilities
- ★ Department for the Blind
- ★ Vocational Rehabilitation (Dept. of Education)
- ★ Independent Living (Dept. of Education)

Health & Human Services Budget Review

The Governor recommends a \$1.3 billion budget for various health/human services programs, including Medicaid. This is an 11.4% increase (\$133.6 million). Here are some highlights that may impact persons with disabilities:

- ★ Recommends the same funds for Phenylketonuria (PKU) assistance (\$100,000) and the Mental Health Transformation Pilot (\$250,000).
- ★ Eliminates the Epilepsy Education initiative started last year (\$100,000) and funding for the Direct Care Worker Task Force (\$75,000).
- ★ Eliminates accountability measure payments in nursing homes (\$3 million). This is an additional payment given to care facilities that meet high quality standards.
- ★ Eliminates one source of funding for the mental health risk pool (\$210,000). However, the Legislature is in the process of giving the Risk Pool \$600,000 in new money from an unanticipated utility company tax payment ([SF 2023](#)).

- ★ \$1.7 million decrease to move mental health drugs to the Preferred Drug List (which saves money by limiting access to higher cost drugs).
- ★ \$240,000 decrease to create two levels of Targeted Case Management. More on this in the next issue.
- ★ \$8.3 million for mental health allowed growth (county services), which is based on 2% growth, although actual growth rates are 4-6%. This rate of growth will likely mean bigger county service waiting lists and fewer services in some counties. Counties with more than 10% of their money still in the bank at the end of the year will see the biggest hit (so people living in those counties may see changes in their services or waiting lists start).
- ★ \$16.9 million increase for state mental health institutions to replace lost federal funds. More on this in the next issue.
- ★ \$6.6 million for a 1% provider rate increase.
- ★ \$1.2 million increase for Money Follows the Person program state match, and other programs to pay for increased caseload growth.
- ★ \$2.8 million increase in Medicaid to cover additional uninsured children.
- ★ 2% provider rate increase for Consumer Directed Attendant Care providers (\$121,000).
- ★ \$2 million increase for state cases.
- ★ \$3 million new appropriation for the development of a statewide network of emergency mental health crisis services.
- ★ \$1.05 million new appropriation for MH/DD workforce development. There is a shortage of psychiatrists and psychologists, and other behavioral health providers. This will help pay for internships, residencies, and loan programs to attract and retain more mental health professionals to the state, particularly in shortage areas.

So, What Next?

- ★ **The Legislature uses the Governor’s budget as a starting point.** It does not mean this is the budget they will pass. In fact, many legislators are already calling it “Option A.” They are busy working on Option B (and probably Options C, D, E...).
- ★ **House and Senate leaders set their own “targets.”** They will decide how much each budget subcommittee gets to spend – and the seven budget subcommittees get to decide how they will spend it. Most of the mental health/disability services programs are assigned to the Health & Human Services Budget Subcommittee. The

budget subcommittee includes members of each chamber and each party:

Rep. Ro Foege, *Chair (D-Mt. Vernon)*
Rep. Elesha Gayman, *Vice Chair (D-Davenport)*
Rep. Dave Heaton, *Ranking Member (R-Mt. Pleasant)*
Rep. Ako Abdul-Samad (*D-Des Moines*)
Rep. Polly Granzow (*R-Eldora*)
Rep. Linda Miller (*R-Bettendorf*)
Rep. Eric Palmer (*D-Oskaloosa*)
Rep. Mark Smith (*D-Marshalltown*)
Rep. Walt Tomenga (*R-Johnston*)
Sen. Jack Hatch, *Co-Chair (D-Des Moines)*
Sen. Keith Kreiman, *Vice Chair (D-Bloomfield)*
Sen. David Johnson, *Ranking Member (R-Ocheyden)*
Sen. Amanda Ragan (*D-Mason City*)
Sen. Jim Seymour (*R-Woodbine*)

- ★ **House and Senate budget subcommittees will meet jointly now through mid-March** to hear testimony, review programs, and make decisions on how to spend money.
- ★ **Legislators will listen to their constituents** and different interest groups to find out where they think money should be spent or cut – and factor that into their decisions (so talk to them and go to your local legislative forums!).
- ★ **March and April are when the real decisions get made**, and many times the decisions are not made until the last day of the session.



What Can You Do?

1. Ask your legislator questions.
2. Tell them what your priorities are in funding.
3. Ask them to add you to their mail/email lists.
4. Go to a local legislative forum.
5. Call/email/write your legislator.
6. Encourage others to act.
7. Taking action early can make all the difference in budget matters - so don't wait.

Update! Universal Health Care

This summer, a panel of experts and legislators met monthly to discuss ways the Legislature could reduce the cost of health insurance to Iowa's families and small businesses. This "Commission on Affordable Health Care Plans for Individuals, Families, and Small Businesses" came out with a report that can be read here:

Legislators are busy getting bills ready to enact those recommendations:

- ★ **Whistleblower protections** – making sure health care workers that blow the whistle on their employers for violations of the law are not punished by their employers.
- ★ **Wellness Initiative** – a multi-layered plan to get Iowans healthier, reward those with healthy lifestyles through lower insurance rates, and manage chronic diseases better.
- ★ **Insurance Consumer Advocate** – a new position to help people with complaints about their health insurance. The big battle here will be whether it is placed in the Insurance Commissioner's office as recommended by legislators or the Attorney General's office as recommended by the Governor.
- ★ **Patient Bill of Rights** – This will make sure that the rights of patients are always a priority.
- ★ **Health Care for All** - This is the big bill that many people are calling "universal health care." It will call for the creation of a medical home, use of telemedicine, electronic medical records so people have a portable medical passport, and a mandate that all parents get health insurance for their kids (assistance is available to those unable to afford it).

These bills will probably be out in the next week, so stay tuned. We'll give a much more detailed description of them at that time.

Update! New Voting Laws & Machines

Last year, the Legislature passed and the Governor signed a bill (SF 369) that made several changes to the way Iowans vote, including the machines we use to cast our votes.

- ★ Counties must replace voting machines with optical scan voting systems.
- ★ Beginning with the November 4 general election, all voting machines used must have a paper record to review by the voter at the polling place.
- ★ Accommodations must be made for voters with disabilities.

Currently only 21 counties have an optical scan systems with a paper trail in all precincts. The estimated cost of bringing the other 78 counties into compliance is between \$1.1 million and \$9 million. It would cost \$1.1 million to make existing machines compatible, or \$9 million to replace them with new

equipment. According to the Legislative Fiscal Bureau, none of the \$2 million appropriated for voting machine replacement had been expended as of now.

Take Action! Public Forums List

Legislators attend legislative forums that are open to the public on weekends, when they are back in their hometowns. These forums are called many things – town hall meetings, legislative breakfasts, public forums, cracker barrels, listening posts.

These are very good times to talk to your legislators and ask questions. Legislators depend on input from the people they are elected to represent – how else do they know what happens when they pass (or fail to pass) legislation, or when they fund (or fail to fund) services.

You do not have to talk at these meetings – you can go and listen. If the weather is bad, they may be canceled, so you might want to call ahead.

Here is a list of the upcoming forums (next two weeks). A complete list of these forums is online at: www.infonetowa.com.

Friday, February 1, 2008

9:00 a.m. – ESTERVILLE

Town Meeting, Esterville Library, 613 Central Ave.
Sen. Jack Kibbie

Saturday, February 2, 2008

8:30 a.m. – FORT DODGE

Iowa Central Community College, Career Education Bldg., Rooms 108 & 110, Highway 169 & Avenue O
Sen. Daryll Beall, Sen. Rich Olive, Sen. Jack Kibbie & Others

9:00-11:00 - ALTOONA

Altoona Campus, 1500 8th Street SW
Rep. Geri Huser

9:00 a.m. – ANKENY

Neveln Community Resource Center, 406 SW School
Rep. Carmine Boal & Sen. Larry Noble

9:00-10:30 – COUNCIL BLUFFS

Council Bluffs Public Library, 400 Willow Ave.
Pottawattamie County Area Legislators

9:00 a.m. - GRINNELL

City Council Chambers, 927 4th Avenue
Rep. Eric Palmer

9:00-10:30 - MUSCATINE

Muscatine Community College, 152 Colorado
Rep. Tom Sands

9:00 a.m. – NEW HAMPTON

New Hampton Farm Bureau Office, 506 W. Milwaukee
Sen. Mark Ziemann

9:30 a.m. – CEDAR FALLS

AEA 267 Building, 3712 Cedar Heights Drive
Black Hawk County Area Legislators

9:30 a.m. – CLERMONT

Clermont Public Library, 503 Larabee St.
Sen. Brian Schoenjahn & Sen. Bill Heckroth

9:30 a.m. - DUBUQUE

“Cracker Barrel Legislative Forum”
Diamond Jo Casino (downtown on the river)
Dubuque area legislators

9:30-11:00 - OTTUMWA

Ottumwa Law Center, 330 W. 2nd Street
Sen. Becky Schmitz & Rep. Mary Gaskill

10:00 a.m. - CARROLL

Time & Place TBD
Sen. Steve Kettering & Rep. Rod Roberts

10:00-11:30 - JOHNSTON

Johnston Public Library, 6700 Merle Hay Road
Rep. Walt Tomenga & Sen. Larry Noble

10:00 a.m. - ONAWA

Onawa Library, 707 Iowa Avenue
Sen. Jim Seymour & Rep. Matt Windschitl

10:00 a.m. – WEST DES MOINES

West Des Moines City Hall, Council Chambers, 4000 Mills Civic Parkway
Sen. Pat Ward & Rep. Libby Jacobs

10:30 a.m. - RIDGEWAY

Ridgeway Fireman Inn, 660 County Street
Sen. Mark Ziemann

12:30-1:30 - JEFFERSON

“Pizza & Politics”
Pizza Ranch at 206 N. Wilson Ave
Sen. Daryll Beall & Others

Time TBA - WAPELLO

State Bank of Wapello, 306 N. 2nd
Rep. Tom Sands (call 515-281-3221)

Friday, February 8, 2008

Noon - KEOKUK

Hawkeye Restaurant, 105 N. Park Drive
Rep. Phil Wise

Saturday, February 9, 2008

8:30 a.m. - OSKALOOSA

Smokey Row, 109 S. Market
Rep. Eric Palmer

9:00 a.m. - CLINTON

Clinton Chamber of Commerce, 721 S. 2nd St.
Sen. Roger Stewart & Others

9:00 a.m. - SPENCER

Spencer City Council Chambers, 418 2nd Ave. W.
Sen. David Johnson

1:00 p.m. - ARNOLD'S PARK

Great Lakes Maritime Museum, 243 W. Broadway St.
Sen. David Johnson

10:00-11:30 - GRIMES

Grimes Public Library, 200 N. James
Sen. Larry Noble & Rep. Walt Tomenga

11:00 a.m. - DEWITT

"Town Hall Meeting"
DeWitt Community Center, 822 6th Ave
Sen. Roger Stewart & Others

Important Bills

House Bills

There are two types of House bills – House Files (HF) and House Study Bills (HSB). Both are introduced in the Iowa House of Representatives. The only difference is House Files are sponsored by legislators, and House Study Bills are sponsored by committees.

HF 2014 - Psychiatry Shortage - Requires the Department of Public Health to study and make recommendations on the psychiatrist shortage by 12/31/2008. *House Human Resources Committee; Rep. Wessel-Kroeschell (Chair), Heaton & Hunter*

HF 2031 - Teacher Training/Autism - Gives the Department of Education \$200,000 to prepare

teachers to better meet the needs of children with autism. Creates an Autism Advisory Council to suggest ways schools may better educate and assist students with autism. The Council is also required to advise state lawmakers on changes to state laws that would better serve children with autism and their families, and create a clearinghouse of education-related autism information. The Council is also asked to look at establishing a program to give schools technical assistance in addressing the needs of children with autism. Requires all colleges to include autism training in their teacher/education degree programs. *House Education Committee; Rep. Cohoon (Chair), Staed & Linda Miller*

HF 2033 - Mental Health Parity/Veterans -

Requires all health insurance plans pay for the treatment of mental illness (any mental illness) and substance abuse for veterans, starting January 1, 2009. Prohibits lifetime limits and copayments/deductibles more than required for medical care, and guarantees a minimum of 30 inpatient and 52 outpatient visits annually. *House Veterans Affairs Committee; Rep. Bukta (Chair), Chambers & Helen Miller*

HF 2056 - Personal Needs Allowance - Currently persons in care facilities are allowed to keep \$50/month as a personal needs allowance, and those that have incomes of less than \$50/month are given that amount if funds are made available by the Legislature. This bill takes out "if funds are available by the Legislature" - making sure every care facility resident has \$50/month for a personal needs allowance. *House Human Resources Committee; Rep. Hunter (Chair), Heaton & Mascher*

HSB 507 & SSB 3028 Civil Rights Filing Deadline

- Extends the time period for filing complaints with the Iowa Civil Rights Commission from 180 to 300 days. *House Judiciary Committee; Sen. Hatch (Chair), Connolly & Gaskill*

HSB 564 - Mental Health & Substance Abuse Parity

- Requires health insurance plans to pay for the treatment of all mental illnesses including substance abuse. Limits inpatient days (30) and outpatient visits (52) and does not apply to federally regulated plans (ERISA) or individual health plans. Also requires insurance plans cover services provided in a PMIC (Psychiatric Medical Institution for Children). *House Human Resources Committee; Rep. Wessel-Kroeschell (Chair), Abdul-Samad & Soderberg*

Senate Bills

There are two types of Senate bills – Senate Files (SF) and Senate Study Bills (SSB). Both are introduced in the Iowa Senate. The only difference is Senate Files are sponsored by legislators, and Senate Study Bills are sponsored by committees.

SF 2023 - Utility Replacement Tax/Mental Health Risk Pool - The recent sale of the Dwayne Arnold Power Plant in Palo to a Florida company triggered a utility tax payment in the amount of \$600,000 this year (expected to double next year). Because of the way Iowa's law is written, these funds would have been used to give additional mental health property tax reductions (which does not add to the overall pot of money for services). Instead, this bill places these new funds into the MH/MR/DD Risk Pool, to help counties that have needs beyond what their local property taxes and state allowed growth permit. Counties may apply to this risk pool to avoid cuts to services or reduce waiting lists. *House Appropriations Committee; Rep. Foege (Chair), Gayman & Watts*

SF 2029 & HF 2057 MH/MR/DD Funding (Late-Filing Counties) - Counties are required by law to report on how they spent their MH/MR/DD funds by December 1 each year. This bill allows a county (Clayton County) that filed their reports by March 15, 2008 to still be eligible for MH/MR/DD allowed growth. *Senate Human Resources Committee; Sen. Wood (Chair), Boettger & Ragan; Rep. Smith (Chair), Foege & Granzow*

SF 2030 - Amyotrophic Lateral Sclerosis (ALS) Study - Requires the Department of Public Health and Department of Veterans Affairs to look at how often Persian Gulf War veterans were diagnosed with ALS (Lou Gehrig's Disease). *Senate Veterans Affairs Committee; Not yet assigned to a subcommittee*

SSB 3009 - Lead Blood Testing/Dental Screening Requirements - Last year, the Legislature required all parents have their children screened for lead poisoning and been seen by a dentist before enrolling in school. Lead poisoning can result in mental retardation and developmental delays and poor dental care can lead to serious health problems. This bill cleans up this requirement and allows children to be enrolled in school even if requirements are not met. *Senate Education Committee; Sen. Schmitz (Chair), Connolly & Boettger*

SSB 3014 - Dependent Adult Abuse Clean-Up - Allows a person to access information on the dependent adult abuse registry if they have a signed authorization from the person. Some agencies do not have access to the registry for background checks, and employers may wish to check the background. Both will be able to do so under this legislation, as long as they have the written permission of the person being checked. *Senate Human Resources Committee; Sen. Seymour (Chair), Bolkcom & Ragan*

SSB 3027 - Public Accommodations/Jail & Prison - The Iowa Civil Rights Commission requires all government and public facilities to make reasonable accommodations to all persons. This bill requires jails, prisons, community based corrections, and other detention facilities to comply with these public accommodation laws. This means jails and prisons will need to meet the needs of persons with disabilities under their supervision. Currently, there is much debate over this and the fact that persons with mental illness and disabilities are not receiving the care and physical accommodations they need while in prison or jail. *Senate State Government Committee; Sen. Connolly (Chair), Hatch & Behn*

SSB 3043 - Vertical Wheelchair Lift Definition - Updates the definition of "inclined or vertical wheelchair lift" to reflect the current American Society of Mechanical Engineers safety standards. Requires operating permits to be posted near these lifts. *Senate Labor & Business Relations Committee; Sen. Horn (Chair), Seng & Hahn*

SSB 3070 - Entrepreneurs with Disabilities Program Transfer - Moves the Entrepreneurs with Disabilities Program from the Iowa Finance Authority to the Iowa Department of Education. Two years ago it was moved from the Department of Economic Development to the Iowa Finance Authority. This program helps people with disabilities start, maintain, and expand their own business. *Senate Education Committee; Sen. Schmitz (Chair), Beall & Zaun*

SSB 3071 & HSB 578 – Education Technical Changes/Special Education – Makes it clear that a child who turns 21 in the middle of the school year is entitled to continue to receive special education until the end of the school year. Also, any notices sent to a child's parent after the child turns 18 must also go to the child. *Senate & House Education Committees; Sen. Appel (Chair), Connolly & McKinley; Rep. Kelley (Chair), Boal & Wendt*

Resolutions

Resolutions are different than bills – they do not change Iowa law, they simply state how the Legislature feels about an issue, or ask Congress or the Governor to act on something.

SR 101 - Employment of Persons with Disabilities

- States that it is a priority of the Legislature to make sure there is a stable and quality direct-support workforce for individuals with disabilities. This resolution makes the following statements: There are more than 115,000 Iowans with developmental disabilities, many of whom depend on the support of their families, communities, providers, and caregivers. Turnover rates of direct-support workers are 40-75% and high job vacancy rates make it difficult for providers to ensure quality care. Iowans with disabilities that wish to work and live in their own homes, in their own communities, need a reliable and quality support system. *Senate Rules & Administration Committee; Not yet assigned to a subcommittee*

Contacting Your Legislators

Write: Sen. (insert name) or Rep. (insert name)
State Capitol
Des Moines, Iowa 50319

Call: 515-281-3221 (Representatives)
515-281-3371 (Senators)

Legislators are at these numbers Monday-Thursday; be prepared to leave a message.

E-Mail: Legislative email addresses are all the same – the legislator's first name, followed by a dot (.), followed by their last name, @legis.state.ia.us. For instance, Jane Doe would be:
jane.doe@legis.state.ia.us.

April 9, 2008 is Advocating Change Day.

More information to come in the next issue!

infoNET is a publication of the Iowa Governor's Developmental Disabilities Council, and is a part of the ID Action initiative. infoNET is written through a contract with Campbell/Patterson Consulting (info@campbell-patterson.com). Find more resources online at www.infonetiowa.org.

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